

SECOND AMENDED EXECUTIVE ORDER #7

Date: 04/09/2020

ORDER GOVERNING ALL SHORT TERM, VACATION, HOTEL, MOTEL, TIME-SHARE, AND SIMILAR LODGING RENTALS FOR 60 DAYS OR LESS IN THE CITY

Effective April 9, 2020, Executive Order #7 was amended according to the following: (1) All short-term rentals for 60 days or less in the City of La Quinta are prohibited for the duration of the local emergency; (2) No short-term rental for 60 days or less may operate or continue to operate for any one of the limited exceptions listed in Section 4 of City Manager Executive Order #7 dated April 3, 2020 unless, prior to any rental or use, or continued rental or use, the owner of the short-term rental delivers documents and evidence sufficient for the City to confirm the rental or use is allowable under one or more of the limited exceptions; (3) Citations for violations of this City Manager Executive Order, currently and as to be amended, shall be issued immediately; (4) This executive order, currently and as to be amended, applies to any unit that may be available or used as a short-term rental regardless of whether rent or other consideration is received; (5) The amended executive order will take effect the day after its issuance by the City Manager.

What are the exemptions that allow me to rent my short-term rental for stays 60 days or less?

The exemptions are listed under Item No. 4 of Second Amended Executive Order #7, and listed here:

1. Temporary lodging to protect homeless persons.
2. Lodging for persons who have been displaced and cannot return to their residence because a person residing at the residence must isolate or quarantine, there is a higher risk of severe illness at the residence, or due to travel restrictions or other circumstance beyond their control.
3. Lodging is for persons who are residents of the city but need to isolate or quarantine themselves.
4. Lodging is for essential service workers related to COVID-19. Essential service workers are public safety and medical professionals, state, county, and city workers supporting the emergency pandemic. Persons currently using and occupying a short-term rental any time after March 26, 2020, who have an existing contract to rent the short-term rental that extends beyond April 8, 2020. **Documentation and evidence for short-term rentals currently**

being used or occupied shall be submitted to the City NO LATER THAN 5:00 p.m. on April 10, 2020. City approval shall be based on clearly convincing evidence, such as medical provider or doctor's orders, essential worker designation from a public agency, or other similar documentation as the City deems necessary or proper to confirm an existing or proposed short-term rental use or occupancy is exempt. If the City finds that any one or more of the exemptions are met, the persons may remain in the short-term rental until the contract ends, unless prevented from returning for a reason set forth in the Order. Any person who violates this order shall be subject to a fine of \$5,000 per violation and an immediate suspension of any and all City permits that authorize the use of the short-term rental for one (1) year from the date of suspension

Do I need approval from the City before I make any bookings for rental?

Yes. Documentation and evidence are required to be submitted to the City no later than one business day before any agreement or contract is entered, or if no agreement or contract is to be entered, then one business day before taking any use or occupancy. Any and all purported evidence shall be submitted by the "owner" or "authorized agent or representative" (as defined in La Quinta Municipal Code Section 3.25.030), or other person or entity who owns or manages a short-term rental in the City of La Quinta.

I am currently renting my short-term rental. What do I need to do?

City approval is required for short term rentals currently in use or occupied, and prior to any new use or occupancy. ***Documentation and evidence for short-term rentals currently being used or occupied shall be submitted to the City NO LATER THAN 5:00 p.m. on April 10, 2020.*** Any person who violates this order shall be subject to a fine of \$5,000 per violation and an immediate suspension of any and all City permits that authorize the use of the short-term rental for one (1) year from the date of suspension.

What documents and evidence do I need to submit to the City to confirm the rental is allowable under one or more of the limited exemptions?

- For temporary lodging to protect homeless persons, a letter from property owner/property manager required to verify lodging to protect homeless persons. "Homeless persons" mean persons who do not have a home, residence, or dwelling unit or area of any kind.

- For persons who have been displaced, a letter from the renter describing their circumstances.
- For persons who are residents of the city but need to isolate or quarantine themselves, documentation required to be submitted showing proof of residency: 1) copy of California Driver's license or other government issued ID, and 2) a utility bill or other form of documentation that shows that La Quinta is the primary residence of the person(s)
- For essential service workers supporting the COVID-19 emergency pandemic, documentation required: 1) Letter from Renter verifying essential service work, 2) Renter's business card, and 3) Name and contact number of employer.
- For persons currently using and occupying a short-term rental, documentation and evidence such as medical provider or doctor's orders, essential worker designation from a public agency, or other similar documentation as the City deems necessary or proper to confirm an existing or proposed short-term rental use or occupancy is exempt.
- "Group hotels" that have 125 rooms or more and pay a transient occupancy tax of 11% pursuant to La Quinta Municipal Code Sections 3.24.020 and 3.24.030 do not need to submit documentation to confirm rental of their rooms is allowable under one or more of the limited exemptions as long as the group hotel has instituted and maintains a practice of verification for any guest as qualifying for one of the limited exemptions.
- "Hotels" that are not "group hotels" (as described in the bullet point above) and that pay a transient occupancy tax of 10% pursuant to La Quinta Municipal Code Sections 3.24.020 and 3.24.030 do not need to submit documentation to confirm rental of their rooms is allowable **only if** the hotel has 50 or more rooms, is typically considered by the general public as a small hotel, boutique hotel or motel, inn, or lodge, and has instituted and maintains a practice of verification for any guest as qualifying for one of the limited exemptions. **All other short-term rentals that otherwise may fall under the definition of "hotels"** in La Quinta Municipal Code Section 3.24.020, including but not limited to any structure or portion thereof, duplex, triplex, single-family dwelling units or other short-term vacation rental unit as defined in Chapter 3.25, **must submit documentation to confirm rental of their rooms is allowable under one or more of the limited exemptions** in order for the City to confirm whether their rooms are not subject to

the requirements in Subsection (D) of Section 4 of the Second Amendment to Executive Order #7.

For any one or more the exemptions, City approval shall be based on clearly convincing evidence, such as medical provider or doctor's orders, essential worker designation from a public agency, or other similar documentation as the City deems necessary or proper to confirm an existing or proposed short-term rental use or occupancy is exempt.

How do I submit documentation and evidence to the City?

Please call 760-777-7000 during business hours or email vacationlq@laquintaca.gov to request the specific exemption you are claiming. You will then need to log into your MuniRevs account at <https://laquinta.munirevs.com> and follow the instructions in your Open Tasks that pertain to your exemption. If you have not yet accessed your account, please call the STVR Team at 760-777-7000 or email support@munirevs.com to activate."

What is the penalty for violating this order?

Any person who violates this order shall be subject to a fine of \$5,000 per violation and an immediate suspension of any and all City permits that authorize the use of the short-term rental for one (1) year from the date of suspension.

**These supplemental instructions are issued and must be followed as authorized by Section 4, Subsection (D), and Section 8 of the Second Amendment to Executive Order #7.*